

Notice of Allowability

Application No.

10/767,421

Examiner

Samson B. Lemma

Applicant(s)

BONAN ET AL.

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 06/12/2007.
2. ☒ The allowed claim(s) is/are 1-22 and 32-36.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date See Continuation Sheet
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date held on 09/12/2007
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date: 06/29/07 & 05/17/07 & 09/04/07.

Art Unit: 2132

DETAILED ACTION

1. This office action is in reply to an amendment filed on June 12, 2007.
Claims 23-31 are canceled and Independent claims 1, 10 and 20 are amended.
New claims 32-36 are added. Thus **claims 1-22 and 32-36** are pending/examined.
2. Applicant's representative, Jerry A. Miller Registration No. 30779, and Examiner on 09/13/2007 conducted a telephone interview regarding the limitations recited in the respective independent, and Applicant's persuasively explained the distinct feature of the amended claims with respect to the art on the record.

Response to Arguments

3. Applicant's remark/arguments filed on June 12, 2007 regarding independent **claims 1, 10, 14, 17 and 20 and telephone interview conducted on 09/13/2007**, have been fully considered and the argument/s is found persuasive.
For clarity and to correct minor informalities both applicant's representative and Examiner agreed to make the following minor changes on the claim language.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Art Unit: 2132

Authorization for this examiner's amendment was given in a telephone interview with **Jerry A. Miller Registration No. 30779** on 09/13/2007.

The application has been amended as follows: In the claims

1. (Currently Amended) A method of encrypting a digital television signal, comprising:

examining unencrypted packets of data in the digital television signal to identify a selected packet type;

duplicating packets identified as being of a selected packet type to produce pairs of duplicated packets;

encrypting one of each pair of the duplicated packets;

~~adding~~ inserting the encrypted packets along with the unencrypted packets of the selected packet type ~~to~~ into the digital television signal along with the unencrypted packets of data that are not of the selected packet type to produce a selectively encrypted digital television signal that contains duplicate packets of the selected packet type with one of the duplicate packets being encrypted while the other of the duplicated packets remains unencrypted; and

broadcasting the selectively encrypted television signal over a terrestrial broadcast transmission system.

34. (Currently Amended) ~~The method according to claim 14~~ A television receiver according to claim 14, wherein the unencrypted packets carry a first continuity counter and wherein the encrypted packers carry a second continuity counter.

Art Unit: 2132

Allowable Subject Matter

4. **Claims 1-22 and 32-36** are allowed.

5. The following is an examiner's statement of reasons for allowance:

6. **Independent Claims 1, 10, 14, 17 and 20 are allowed for** the following reasons:

7. Referring to the independent claims 1 and 10, the combination of the reference on the record, namely **Nanjundiah and Carny, discloses most of the limitation recited in the claims before the claims were amended.**

For instance,

Regarding claims 1 and 10 before the claims were amended, Nanjundiah, the primary reference on the record, discloses a method of encrypting a digital television signal, comprising:

- **Examining unencrypted packets of data in the digital signal to identify a selected packet type;**[Column 2, ref "0023"; column 4, ref. Num "1"] *(One or more data packets from data packet sequence may be selected for encryption to provide a plurality of selected packets and a plurality of unselected packets)*
- **Encrypting the selected packet type** [Column 2, ref "0023"; Column 4, ref. Num "1"]*(the selected packets are then encrypted for transmission);*
- **Adding the encrypted packets along with the unencrypted packets of the selected packet type in the digital signal to produce a selectively encrypted digital television signal and broadcasting the selectively encrypted television signal over a terrestrial broadcast transmission system.** [Column 2, ref "0023"; column 4, ref. Num "1"]*(initiating the transmission of the encrypted data packets and unselected packets as output data packets sequence in transmission medium)*

Art Unit: 2132

Nanjundiah does not explicitly disclose

- **Duplicating packets identified as being of a selected packet type;**
- **Encrypting the duplicated packets**

However, in the same field of endeavor, **Carny** discloses selecting at least one segment of the digital content and duplicating the selected packets/segments thereby creating a plurality of copies of each segment and performing different encryption on the plurality of copies.[Column 2, ref. "[0010]"; "[0011]" and "[0012]"]

Similarly, before the claim was amended, most of the limitation recited in independent claim 20 was disclosed by the combinations of the references on the record, namely **Nanjundiah and Carny**.

For instance,

Regarding claim 20 before the claim was amended, Nanjundiah, the primary reference on the record, discloses a television receiver, comprising:

- **A receiver receiving a terrestrial broadcast digital signal, wherein the signal has a plurality of unencrypted packets and a plurality of encrypted packets**, [Column 5, ref. Num "25"](*receiving a data packet sequence comprising encrypted data packets and unencrypted data packets*) **wherein**
- **The encrypted packets contain information required to decode the digital television signal**;[Column 5, ref. Num "25"](*decoding data packets based upon the decrypted information; this means the encrypted packets are decrypted and the information required to decode the signal will be revealed and decoding is performed based on this information.*)
- **A decrypter that decrypts the encrypted packets** [Column 5, ref. Num "25"] (*decrypting one or more of the encrypted data packets to provide decrypted information*)

Art Unit: 2132

and

- **A decoder that decodes the unencrypted packets and the decrypted packets to produce a signal .[Column 5, ref. Num "25" and ref. Num "27"]**

Nanjundiah does not explicitly disclose

- **Encrypting the duplicated packets**

However, in the same field of endeavor, **Carny** discloses selecting at least one segment of the digital content and duplicating the selected packets/segments thereby creating a plurality of copies of each segment and performing different encryption on the plurality of copies.[Column 2, ref. "[0010]"; "[0011]" and "[0012]")

However, as applicant persuasively argued, the combinations of references on the record, **Nanjundiah and Carny**, does not disclose the limitation recited on the amended independent respective claims 1, 10 and 20 and the former independent claims 14 and 17.

None of the prior art of record taken singularly or in combination teaches or suggests a method of encrypting a digital television signal, with the specific limitation recited in respective independent claims.

For this reason, independent claims **1, 10, 14, 17 and 20** are found to be novel and are allowed.

8. The dependent **claims** which are dependent on the above **independent claims** being further limiting to the independent claim, definite and enabled by the specification are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should

Art Unit: 2132

preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

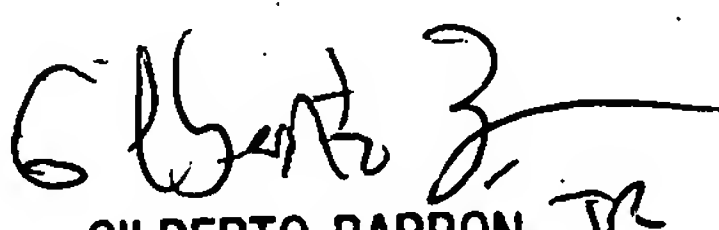
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA
S.L.
09/13/2007


GILBERTO BARRON JR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100